

ORIGINAL

Approved: Samuel S. Adelsberg
Assistant United States Attorney

Before: HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA : SEALED COMPLAINT

- v. - : Violations of
18 U.S.C. §§ 641 and 2

JC MARTIN, :
Defendant. : COUNTY OF OFFENSE:
WESTCHESTER

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SOUTHERN DISTRICT OF NEW YORK, ss.:

TONYA PERKINS, being duly sworn, deposes and says that she is a Special Agent with the Social Security Administration ("SSA"), Office of the Inspector General ("SSA-OIG"), and charges as follows:

COUNT ONE

1. From at least in or about October 1999, up to and including in or about November 2017, in the Southern District of New York and elsewhere, JC MARTIN, the defendant, willfully and knowingly did embezzle, steal, purloin, and convert to his use and the use of another, and without authority, did sell, convey, and dispose of records, vouchers, money, and things of value of the United States and a department and agency thereof, to wit, the Social Security Administration, which exceeded the sum of \$1,000, and did receive, conceal, and retain the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit, MARTIN received, retained, and converted to his own use Social Security benefits totaling approximately \$197,323 that were issued to and intended for MARTIN's father, after MARTIN's father was deceased.

(Title 18, United States Code, Sections 641 and 2.)

2

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with SSA-OIG. I have been personally involved in the investigation of this matter, and I base this affidavit on my personal involvement, as well as on my conversations with other law enforcement agents and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the offenses cited above, it does not include all the facts that I have learned during the course of the investigation. Where the contents of conversations of others are reported herein, they are reported in substance and in part.

3. Based on my review of SSA records, I have learned, in substance and in part, the following:

a. The SSA issued Social Security retirement benefits intended for Individual-1, the father of JC MARTIN, the defendant, beginning in or about October 1991 and continuing through in or about December 2017.

b. From at least in or about January 2012 through in or about December 2017, the SSA issued Social Security survivor benefits for Individual-1 by making electronic deposits into a Chase checking account (the "Chase Account").

4. I have obtained and viewed Individual-1's death certificate, and I have learned, in substance and in part, that Individual-1 died on or about October 11, 1999. There is no record of the SSA being notified of his death.

5. Based on my review of records maintained by Chase Bank, I have learned, in substance and in part, the following:

a. The Chase Account is jointly held in the names of JC MARTIN, the defendant, and Individual-1.

b. The mailing address for the Chase Account is the same address associated with his Social Security benefits as well the address of the defendant's residence. The address is 23 Sherman Avenue, Mount Vernon, NY 10552.

3

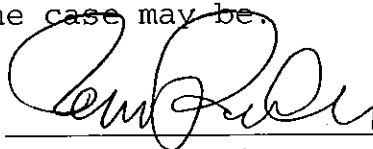
c. The defendant withdrew funds from the Chase Account at ATMs in Riverdale, New York and Mount Vernon, New York. The latter ATM is located in Westchester County.

d. From at least in or about January 2012, up to and including at least in or about December 2017, Social Security benefits have been deposited electronically into the Chase Account.

e. From at least in or about January 2012, up to and including at least in or about November 2017, withdrawals have been made from the Chase Account.

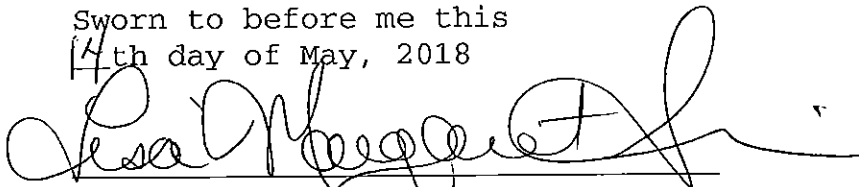
6. Based on my review of SSA records, I have learned that from in or about October 1999 through in or about November 2017, the SSA has issued approximately \$197,323 in Benefits intended for Individual-1 through electronic cash deposits into the Chase Account.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of JC MARTIN, the defendant, and that he be imprisoned or bailed, as the case may be.



TONYA PERKINS
Special Agent
Social Security Administration
Office of the Inspector General

Sworn to before me this
14th day of May, 2018



HONORABLE LISA MARGARET SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK